REMARKS

The Examiner maintains the rejections of claims 10 and 12-15 under 35 USC 102(a) as anticipated by Soumiya; claims 11 and 16-18 under 35 USC 103(a) as unpatentable over Soumiya in view of Ben-Nun; and claim 19 under 35 USC 103(a) as unpatentable over Soumiya in view of Applicant's Admitted Prior Art. Applicant's respectfully traverse the rejections for the same reasons presented in the previously filed responses, and for the following reasons.

The Examiner comments, referring to the *Response to Arguments*, that "while the specification's explanation of Equation (1) contains the term 'effective bandwidth,' Equation (1) does not define the term 'effective bandwidth.' Again, Applicant's respectfully disagree with the Examiner. As previously noted, the specification, on page 7, details Equation (1), which includes the term effective bandwidth (c^{eff}_k). The term is specifically defined as $c^{eff}_k=c^s_k+c^p_k$. The specification in this regard states, in part, that "the status variables c^{eff}_k is defined as effective bandwidth of all connections with reference to the classes k." At the bottom of page 8 and top of page 9, the specification continues by stating that "Upon employment of Equation (1), the effective bandwidth c^{eff}_k can then be calculated: $c^{eff}_k=c^{Sk}+c^{Pk}$. This expressly defines the term effective bandwidth, and is undeniably clear from the specification. Hence, the Examiner is <u>not</u> at liberty to broadly define the term, as suggested. Soumiya, on the other hand, merely describes an instance whereby a new connection is or is not accepted. That is, a yes/no statement is generated to determine whether a call is accepted or rejected. However, no criterion for calculation of bandwidths for a group of connections is determined, as required in the claimed invention.

Even assuming *arguendo* that the term effective bandwidth is given in broadest reasonable interpretation, Soumiya's use of an "estimated bandwidth" is not equivalent to an "effective bandwidth", nor does Berger or Beshai's use of this term teach or suggest that the term is the same as used in Applicant's invention. As an example, the Examiner sites col. 1, lines 19-25 of Berger as disclosing an effective bandwidth. In the instant invention, the bandwidth is determined step-by-step with the setup/release of connections. The sigma rule algorithm is started at every step and, in addition to supplying a yes/no decision (as described in Soumiya), an estimate of the bandwidth based on the prescription of the acceptance criteria is supplied, along with other

information (see, for example, page 6, first full paragraph of the specification). This feature too is not disclosed in the applied prior art.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.449122037100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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